

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

Case No. 4:22-CR-00060-M  
Case No. 4:24-CV-00015-M

ANDREW POTTER,

Petitioner,

v.

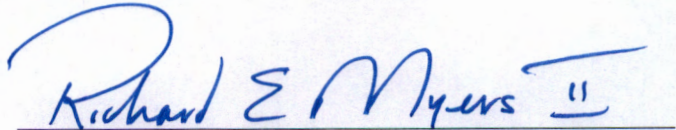
UNITED STATES OF AMERICA,

Respondent.

ORDER

This matter comes before the court on the United States' Motion to Dismiss Petitioner's Section 2255 Petition to vacate, set aside, or correct his sentence (the "Petition") [DE 52]. The court will defer consideration of the United States' Motion and the Petition pending a decision from the United States Court of Appeals for the Fourth Circuit in *United States v. Canada*. See *United States v. Canada*, 103 F.4th 257 (4th Cir. 2024), *cert. granted, judgment vacated*, No. 24-5391, 2024 WL 4654952 (U.S. Nov. 4, 2024) (remanding to Fourth Circuit "for further consideration in light of *United States v. Rahimi*, 602 U. S. \_\_\_\_ (2024).").

SO ORDERED this 5<sup>th</sup> day of November, 2024.

  
RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE